

Attorney Docket No: NANO-001/13US

PATENT

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By

*Patricia K. Parry*  
Patricia K. Parry

2/24/99



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Charles H. Moore, et al.

Serial No.: 09/124,623

Examiner: Not yet assigned

Filed: July 29, 1998

Art Unit: 2784

For: HIGH PERFORMANCE, LOW COST MICROPROCESSOR

Assistant Commissioner for Patents  
Washington, D.C. 20231

## PETITION TO ACCEPT APPLICATION WITHOUT ALL INVENTORS SIGNATURES UNDER 37 CFR 1.47(a)

Applicants' undersigned representative respectfully requests the acceptance of the above-identified application without the signature of Russell H. Fish III in view of the following.

On October 28, 1998 a Declaration for the above-identified application was sent to Mr. Russell H. Fish III to sign and return for filing in response to the Notice to File Missing Parts, along with a prepaid return Federal Express envelope to facilitate return of the signed Declaration. The package to Mr. Fish was delivered on October 29, 1998 by Federal Express.

On or about November 1, 1998 Applicants' undersigned representative received a telephone call from Roger Haerr, Esq. regarding the Declaration sent to Mr. Fish in the above application. Mr. Fish had filed suit against Patriot Scientific Corporation, which is located in San Diego, California, in his home state of Texas. The defense of this suit was

handled by Mr. Haerr for Patriot. As there were jurisdictional issues involved we were asked by Mr. Haerr to refrain from sending any further correspondence to Mr. Fish until the judge had ruled on the question of jurisdiction.

On February 18, 1999 Applicants' undersigned representative contacted Mr. Haerr to determine if the Court had ruled on the matter in Texas. Mr. Haerr confirmed that the Court had ruled in favor of Patriot Scientific Corporation and that another action between Patriot and Mr. Fish is now pending in the Superior Court in San Diego, California.

Mr. Fish is currently adverse to Patriot Scientific Corporation in the San Diego litigation and refuses to sign the Declaration for the above application or otherwise cooperate with Patriot Scientific Corporation.

Declarations by Roger Haerr, Esq. and Willis E. Higgins, Esq. attesting to the facts stated above are enclosed in support of this petition.

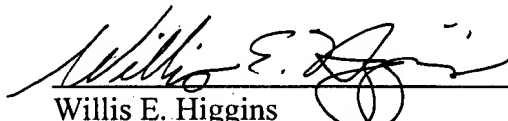
Mr. Fish's last known address is: Russell H. Fish III, 5426 Meadow Creek Drive, No. 2095, Dallas TX 75248.

In view of the foregoing facts and recitation of the nonsigning inventor's last known address, the requirements for proceeding under 37 C.F.R. §1.47(a) have been met. Acceptance of the above application without the signature of Russell H. Fish III is therefore requested.

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Respectfully submitted,  
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By:

  
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